



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119502

Record No.: CB 119502

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125813

In Control: City Clerk

File Created: 03/15/2019

Final Action: 05/03/2019

**Title:** AN ORDINANCE relating to the Cedar River Municipal Watershed; amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide imazapyr to treat invasive knotweed species.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

**History of Legislative File**

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	03/26/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	03/26/2019	sent for review	Council President's Office			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office						
	<b>Notes:</b>						
1	Council President's Office	03/29/2019	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	<b>Notes:</b>						

Legislative Summary Continued (CB 119502)

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- 1 City Council 04/22/2019 referred Civil Rights,  
Utilities,  
Economic  
Development, and  
Arts Committee
- Action Text:** The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts Committee
- Notes:**
- 1 Civil Rights, Utilities, 04/23/2019 pass Pass  
Economic Development,  
and Arts Committee
- Action Text:** The Committee recommends that City Council pass the Council Bill (CB).
- Notes:**
- In Favor: 2 Chair Herbold, Member O'Brien
- Opposed: 0
- 1 City Council 04/29/2019 passed Pass
- Action Text:** The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
- Notes:**
- In Favor: 8 Councilmember Bagshaw, Councilmember González , Council  
President Harrell, Councilmember Herbold, Councilmember Mosqueda,  
Councilmember O'Brien, Councilmember Pacheco, Councilmember  
Sawant
- Opposed: 0
- 1 City Clerk 05/02/2019 submitted for Mayor  
Mayor's signature
- Action Text:** The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- Notes:**
- 1 Mayor 05/03/2019 Signed
- 1 Mayor 05/03/2019 returned City Clerk
- 1 City Clerk 05/03/2019 attested by City Clerk
- Action Text:** The Ordinance (Ord) was attested by City Clerk.
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CITY OF SEATTLE

ORDINANCE 125813

COUNCIL BILL 119502

AN ORDINANCE relating to the Cedar River Municipal Watershed; amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide imazapyr to treat invasive knotweed species.

WHEREAS, the Cedar River Watershed Secondary Use Policies, adopted by Ordinance 114632, include a moratorium on herbicide use to prohibit the routine broadcast application of herbicides for control of roadside vegetation in lieu of brushing, and invasive plant species were not a consideration in watershed land management practices when these Policies were adopted in 1989; and

WHEREAS, from 2002 through 2010, Seattle Public Utilities attempted to control knotweed using physical means, including covering with geotextile fabric and digging, but even small patches of knotweed are exceedingly difficult to control by physical means, and treating knotweed with herbicide has been found to be the only effective way to control large patches; and

WHEREAS, uncontrolled knotweed in 2010 covered nearly 18 acres of land in the Cedar River Municipal Watershed and was spreading at rapid rate, displacing native species, eroding stream banks, threatening water quality, and destroying biodiversity; and

WHEREAS, on August 6, 2010, a limited exception to the Secondary Use Policies was authorized by Ordinance 123365 to allow the application of the herbicide imazapyr to control or eradicate knotweed species in the Cedar River Municipal Watershed through December 31, 2012, and two follow-up limited exceptions to the Secondary Use Policies were authorized by Ordinances 124191 and 124852 to continue to allow application of

1 the herbicide imazapyr through December 31, 2015, and December 31, 2018,  
2 respectively; and

3 WHEREAS, Seattle Public Utilities' method of applying a one percent imazapyr solution to  
4 knotweed from midsummer to fall is in line with King County Noxious Weed Control  
5 Program's Best Management Practices; and

6 WHEREAS, imazapyr inhibits an enzyme found only in plants, and the U.S. Environmental  
7 Protection Agency rates imazapyr as being relatively non-toxic to birds, mammals, fish,  
8 and invertebrates, and a United States Forest Service toxicology study determined  
9 imazapyr causes no measurable adverse effects on fish and wildlife; and

10 WHEREAS, the amount of herbicide applied in the Cedar River Municipal Watershed has  
11 decreased from 26.9 ounces per acre in 2011 to 0.4 ounces per acre in 2018, which  
12 reflects the large drop in above-ground knotweed biomass during this treatment period,  
13 but knotweed re-infestation will occur without continued, limited use of imazapyr  
14 through 2021; NOW, THEREFORE,

15 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

16 Section 1. Cedar River Watershed Secondary Use Policy 6-13, last amended by  
17 Ordinance 124852, is amended as follows:

18 Seattle Public Utilities will continue the herbicide moratorium, controlling undesirable  
19 vegetation with hand or mechanical methods, except that the following exemption for the use of

20 ~~((Imazapyr))~~ imazapyr shall apply through December 31, ~~((2018))~~ 2021. ~~((The Director of))~~

21 Seattle Public Utilities is ~~((hereby))~~ authorized to apply ~~((Imazapyr))~~ imazapyr for the purpose of  
22 controlling or eradicating knotweed species within the Cedar River Municipal Watershed in  
23 accordance with the methods and procedures established in this section and all applicable state


1 and federal drinking water source protection standards. Seattle Public Utilities will adhere to  
2 ~~((the application method and monitoring described in Attachment 1: A Proposal to Continue to~~  
3 ~~Use Herbicide to Manage the Knotweed Infestation in the Cedar River Municipal Watershed,~~  
4 ~~April 21, 2015)) targeted foliar application methods that use a one percent imazapyr solution  
5 applied directly to knotweed leaves with backpack or handheld sprayers. Herbicide will be  
6 applied by licensed pesticide applicators or those under direct supervision of licensed  
7 applicators. Seattle Public Utilities will monitor knotweed treatment areas annually and will  
8 monitor water quality before and after herbicide application. Seattle Public Utilities will provide  
9 the ~~((Seattle Public Utilities and Neighborhoods Committee of the City Council, or successive~~  
10 ~~committee,)) Civil Rights, Utilities, Economic Development and Arts Committee of the City  
11 Council or successor committee an annual report on the knotweed treatment program in the  
12 Cedar River Municipal Watershed, summarizing the effectiveness of the knotweed treatment  
13 program, evaluating the long-term financial and environmental implications for knotweed  
14 control beyond ~~((2018))~~ 2021, evaluating the water quality monitoring results, summarizing the  
15 latest available science on the environmental and human health effects of ~~((Imazapyr))~~ imazapyr,  
16 and describing any plans for the future ~~((application))~~ use of ~~((Imazapyr))~~ imazapyr within the  
17 Watershed, including maps of proposed treatment areas, estimated quantities of ~~((Imazapyr))~~  
18 imazapyr to be applied, application methods and schedules, and plans for water quality  
19 monitoring. ~~((The Director of))~~ Seattle Public Utilities may authorize ~~((application))~~ use of  
20 ~~((Imazapyr))~~ imazapyr to newly-discovered areas of knotweed infestation, but ~~((the))~~ use ~~((of~~  
21 ~~Imazapyr))~~ on newly-discovered areas located within the hydrographic boundary may not exceed  
22 five acres in size.~~~~

1           Section 2. The General Manager/CEO of Seattle Public Utilities shall ensure that areas  
2 formerly occupied by knotweed are restored to native vegetation.

3           Section 3. The General Manager/CEO of Seattle Public Utilities shall continue the  
4 ongoing program for monitoring, detecting, and controlling invasive plants in the Cedar River  
5 Municipal Watershed with a goal of preventing colonies of knotweed from re-establishing.

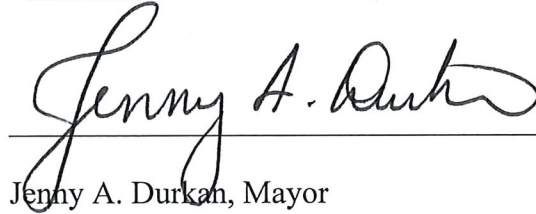
1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 29<sup>th</sup> day of April, 2019,  
5 and signed by me in open session in authentication of its passage this 29<sup>th</sup> day of  
6 April, 2019.

7 

8 President \_\_\_\_\_ of the City Council

9 Approved by me this 3<sup>rd</sup> day of May, 2019.

10   
11 Jenny A. Durkan, Mayor

12 Filed by me this 3<sup>rd</sup> day of MAY, 2019.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)